

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE JOHNSON & JOHNSON
DERIVATIVE LITIGATION

Civil Action No. 10-2033 (FLW)

IN RE JOHNSON & JOHNSON FCPA
SHAREHOLDER DERIVATIVE
LITIGATION

Civil Action No. 11-2511 (FLW)

COPELAND v. PRINCE, ET AL.

Civil Action No. 11-4993 (FLW)

Judge Freda L. Wolfson

Date: September 28, 2012

Time: 10:00 a.m.

Courtroom: 5E

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS OF MARK G. PETRI

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Attorneys for Intervenor/Objector Petri

To: All Counsel

PLEASE TAKE NOTICE that, on September 28, 2012, or as soon as the undersigned may be heard, Intervenor/Objector Mark G. Petri shall move before the Hon. Freda L. Wolfson, U.S.D.J., at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Courtroom 5E, Trenton, NJ 08608, to have the above-captioned cases dismissed pursuant to the representative plaintiffs' failure to satisfy the prerequisites of Fed. R. Civ. Proc. 23.1(a). In the alternative, Petri requests that the Court reject plaintiffs' counsel's fee request associated with the proposed settlement.

PLEASE TAKE FURTHER NOTICE that, in support of the motion, the undersigned relies upon the contemporaneously filed Objection to Attorneys' Fees and Memorandum in Support of Motion to Dismiss Under Rule 23.1(a).

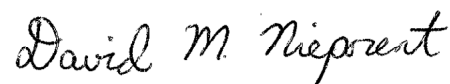
PLEASE TAKE FURTHER NOTICE that the undersigned has contemporaneously filed a Motion to Intervene and accompanying brief.

PLEASE TAKE FURTHER NOTICE that, in accordance with the Local Rules of Civil Procedure, a proposed form of Order is attached.

PLEASE TAKE FURTHER NOTICE that the undersigned requests oral argument for this motion in accordance with L. Civ. R. 78.1(b).

Dated: August 31, 2012

Respectfully submitted,

A handwritten signature in cursive script that reads "David M. Nieporent". The signature is written in dark ink and is positioned above a horizontal line.

David M. Nieporent

CERTIFICATE OF SERVICE

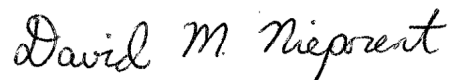
The undersigned certifies he caused to be served via FedEx overnight shipment a copy of this Motion to Dismiss and accompanying documents upon the following:

Clerk of Court
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 2020
Trenton, NJ 08608

Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. Attn: James E. Cecchi 5 Becker Farm Road Roseland, NJ 07068	Patterson Belknap Webb & Tyler Attn: Erik Haas 1133 Avenue of the Americas New York, NY 10036
Kantrowitz, Goldhamer & Graifman, P.C. Attn: Gary Graifman 210 Summit Avenue Montvale, NJ 07645	Sidley Austin LLP Attn: Kristen R. Seeger One South Dearborn Street Chicago, IL 60603

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 31, 2012



David M. Nieporent